THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No. 26162 of 2005

08-12-2005

Between:

M/s.Kimberly Clarke Lever Limited, Bachupally, Ranga Reddy District,

rep. by its law Officer.

..... PETITIONER

AND

The Commercial Tax officer, Hydernagar Circle, Hyderabad & Others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE S. ANANDA REDDY

WRIT PETITION No. 26162 of 2005

ORDER: (Per Hon'ble Sri Bilal Nazki, J)

Heard learned Counsel for the parties.

Appeal is pending before the appellate authority, against the order of imposing penalty of Rs.6,48,945/-. In the meantime, the petitioner filed an application for grant of stay before respondents No.2 and 3. Both have rejected the stay application.

After hearing learned Counsel for the parties, we feel that the interest of justice would be met if the appellate authority is directed to dispose of the appeal expeditiously and in the meantime some relief is given to the petitioner.

Therefore, we direct that the appeal may be proceeded with, on payment of 25% of the liability, by the petitioner, within a period of four weeks from today. For four weeks, there shall be an unconditional stay of recovery. In case the payment is made within four weeks, the recovery shall remain stayed till disposal of the appeal. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal. The appellate authority is directed to dispose of the appeal expeditiously.

Writ petition is accordingly disposed of. No order as to costs.

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(BILAL NAZKI, J)

8th December 2005

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(S.ANANDA REDDY, J)

ajr